



Department of Justice

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Federal Officials Close Criminal Investigation

WASHINGTON – The United States Department of Justice announced today that it will not pursue federal criminal civil rights charges against Indianapolis Metropolitan Police Officers who were involved in the arrest of Brandon Johnson.

Officials from the Civil Rights Division of the Justice Department, the U.S. Attorney's Office, and the FBI met today with Brandon Johnson, his parents and their representatives to inform them of this decision.

The Justice Department's decision is based on the facts developed during a thorough and independent investigation of the events surrounding Johnson's May 16, 2010 encounter with officers who were in the process of arresting Johnson's younger brother. During the investigation, the Justice Department reviewed all of the relevant evidence in this matter, including investigative reports, statements by law enforcement and civilian witnesses, the Indianapolis Metropolitan Police Department Civilian Merit Board hearing transcripts, photographs, and medical records.

Under the applicable federal criminal civil rights laws, prosecutors must establish, beyond a reasonable doubt, that an official "willfully" deprived an individual of a constitutional right, meaning that the official acted with the deliberate and specific intent to do something the law forbids. This is the highest standard of intent imposed by law. Neither accident, mistake, fear, negligence nor bad judgment is sufficient to establish a federal criminal civil rights violation.

After a careful and thorough review, a team of experienced federal prosecutors and FBI agents determined that the evidence was insufficient to pursue federal criminal civil rights charges. Accordingly, the investigation into this incident has been closed.

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